

1	CSAA INSURANCE EXCHANGE as	)	Case No.: 3:13-cv-05676-SBA
	subrogee of Kris and Satya	)	
2	Kalra,	)	<b>STIPULATION TO EXTEND</b>
		)	<b>DEADLINE FOR CONDUCTING</b>
3	Plaintiff,	)	<b>EARLY NEUTRAL EVALUATION</b>
		)	<b>SESSION; <del>[PROPOSED]</del> ORDER</b>
4	v.	)	
		)	District Judge: Saundra B.
5	MASCO CORPORATION; BRASSCRAFT	)	Armstrong
	MANUFACTURING COMPANY; and	)	Courtroom: 1
6	DOES 1 through 100, inclusive,	)	Complaint filed: 10/24/13
		)	Removal Date: 12/09/13
7	Defendants.	)	Trial: 06/01/15

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1 Plaintiff, CSAA INSURANCE EXCHANGE ("Plaintiff"), and  
2 defendant, BRASSCRAFT MANUFACTURING COMPANY ("Defendant"), submit  
3 the following stipulation of the parties pursuant to ADR L.R. 5-5  
4 and Civil L.R. 7-12, and hereby respectfully request that the Court  
5 extend the deadline for the parties to complete Early Neutral  
6 Evaluation ("ENE") from July 15, 2014 to September 26, 2014.

7 On April 16, 2014, the Court issued its Civil Case Management  
8 Conference, ordering this case to a hybrid ENE process. Therefore,  
9 pursuant to ADR L.R. 5-4(b), the ENE session must be held no later  
10 than July 15, 2014, i.e. within ninety (90) days after the entry of  
11 the Order referring the case to ENE.

12 On May 19, 2014, the Court issued its Notification of the  
13 Appointment of Evaluator, appointing George C. Fisher as Evaluator  
14 in this matter. On June 2, 2014, pursuant to ADR L.R. 5-7, the  
15 Evaluator and counsel for the parties conducted the pre-ENE  
16 telephone conference to discuss the procedures and scheduling of  
17 the ENE session.

18 During the telephone conference, counsel and Mr. Fisher  
19 discussed the necessary discovery to be completed prior to the ENE  
20 session in order to maximize utility of the ENE session and the  
21 prospects for resolution of this matter. Based on this discussion,  
22 as well as a discussion as to the availability of the Evaluator,  
23 parties, and counsel, it was agreed that the ENE session is to take  
24 place as follows:

25 Date: September 18, 2014  
26 Time: 10:00 a.m.  
27 Place: Federal Building  
28 450 Golden Gate Avenue, 16<sup>th</sup> Floor  
San Francisco, California 94102

1 Therefore, the parties respectfully request that the Court set  
2 September 26, 2014 as the deadline by which the ENE session must be  
3 held.

4 Defendant submits this Stipulation for filing, and hereby  
5 attests that Plaintiff, whose signature is listed below and on  
6 whose behalf this filing is submitted, concurs with content  
7 contained herein and has authorized it for filing.

8  
9 DATED: June 3, 2014

G&P|SCHICK

By: /s/ Annalisa S. Zulueta

MALCOLM D. SCHICK  
ANNALISA S. ZULUETA  
Attorneys for defendant,  
BRASSCRAFT MANUFACTURING  
COMPANY

14 DATED: June 3, 2014

JANG & ASSOCIATES, LLP

By: /s/ Adam S. Cederberg

ALAN J. JANG  
ADAM S. CEDERBERG  
Attorneys for plaintiff,  
CSAA INSURANCE EXCHANGE

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**PROPOSED ORDER ON STIPULATION**

After due consideration by the Court of the stipulation by and between plaintiff, CSAA INSURANCE EXCHANGE, and defendant, BRASSCRAFT MANUFACTURING COMPANY to extend the deadline for the parties to complete Early Neutral Evaluation, the Court hereby orders that the deadline for conducting the ENE session is September 26, 2014.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 6/5/2014

  
\_\_\_\_\_  
Honorable Sandra B. Armstrong  
United States District Court Judge

**CSAA (KALRA) v. BRASSCRAFT MANUFACTURING, et al.**  
**UNITED STATES DISTRICT COURT, NORTHERN DISTRICT**  
**CASE NO. 3:13-CV-05676-SBA**

**PROOF OF SERVICE**

I, the undersigned, declare that: I am over the age of 18 years and not a party to the case; I am employed in the County of Santa Clara, California, where the mailing occurs; and my business address is: **333 West Santa Clara Street, Suite 930, San Jose, CA 95111.**

On **June 5, 2014**, I caused to be served each of the interested parties in this action set forth in the below list the foregoing document(s) described as:

• **STIPULATION TO EXTEND DEADLINE FOR CONDUCTING EARLY NEUTRAL EVALUATION SESSION; [PROPOSED] ORDER**

( ) **BY MAIL** I am readily familiar with the business practice for collection and processing correspondence for mailing with the United States Postal Service. Under the practice, it would be deposited with United States Postal Service on that same day with postage thereon fully prepaid at San Jose, California, in the ordinary course of business. I caused such service by placing a true copy of each document in a separate envelope addressed to each addressee, respectively.

( ) **BY FEDEX OVERNIGHT MAIL** I am readily familiar with the business' practice for collection and processing of correspondence for mailing by FedEx. Pursuant to this practice, once a FedEx envelope is sealed, it is placed at the firms' receptionist's desk and between the hours of 4:00 and 5:00 every business day, the FedEx courier arrives at the firm and picks up all FedEx envelope(s). I caused the service to be effected by depositing the aforementioned documents in a FedEx envelope addressed to each of the below listed counsel for parties and I placed same at the receptionist's desk prior to 4:00 p.m.

( ) **VIA FACSIMILE TRANSMISSION** Pursuant to California Code of Civil Procedure Section 1013(e), and as evidenced by the attached facsimile transmission report, I faxed the above-described documents to each addressee named herein. The facsimile machine I used complied with California Rules of Court, Rule 2.301, and no error was reported by said machine.

(X) **BY ELECTRONIC CASE FILING SYSTEM:** I caused the document(s) to be sent by ECF transmission to the persons listed below in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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CSAA (KALRA) v. BRASSCRAFT MANUFACTURING, et al.  
UNITED STATES DISTRICT COURT, NORTHERN DISTRICT  
CASE NO. 3:13-CV-05676-SBA

PROOF OF SERVICE

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration is executed on June 5, 2014, at San Jose, California.



Stephanie Plascencia

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Adam S. Cederberg  
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Attorney for Plaintiff,  
CSAA INSURANCE EXCHANGE, as  
subrogee of Kris and Satya Kalra